

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**UNITED STATES OF AMERICA**

**v.**

**Criminal No. 2:08cr108**

**OTIS LEE STITT,**

**Defendant.**

**ORDER**

This matter comes before the Court upon the Motion to Suppress filed by Otis Lee Stitt ("Defendant") on August 29, 2008. On September 4, 2008, the Government filed a Response. For the reasons set forth below, the Court hereby **DENIES** the Defendant's Motion to Suppress.

The Defendant filed his Motion to Suppress twenty-five days after the motion deadline set by this Court. Pursuant to Fed. R. Crim. P. 12(c), the Court may set a deadline by which the parties must make pretrial motions. If a party does not meet this deadline, he has waived his request for pretrial relief. Fed. R. Crim. P. 12(e). Although this Court may grant relief from such a waiver, *id.*, it need not do so. In this instance, this Court finds that no good cause exists for granting relief, particularly with the Defendant's trial so close at hand.

For the foregoing reasons, the Court hereby **DENIES** the Defendant's motion to suppress. The Clerk is **DIRECTED** to forward a copy of this Order to the United States Attorney, the Defendant, and all counsel of record.

**IT IS SO ORDERED.**

  
Robert C. Dwyer  
Senior United States District Judge

September 5, 2008  
Norfolk, Virginia